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JAN 31 2007

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CLERK, U.S. DISTRICT COURT

CATHY A. CATTERSON, CLERK  
U. S. COURT OF APPEALS

FEB - 2 2007  
4:30 pm  
DISTRICT OF HAWAII

FOR THE NINTH CIRCUIT

QK HOTEL, LLC, a Hawaii LLC,

Defendant,

and

KG HOLDINGS, LLC; et al.,

Defendants - Appellants,

v.

SPORTS SHINKO CO., LTD., a Japanese  
corporation in reorganization, through  
Keijiro Kimura, its Deputy Trustee,

Plaintiff-third-party-defendant -  
Appellee,

and

FRANKLIN K. MUKAI,

Defendant-third-party-plaintiff,

v.

SPORTS SHINKO (US) CO., LTD., a  
Delaware corporation,

Third-party-defendant -  
Appellee.

CV 04-124 ACK-BMK  
No. 06-17219

ORDER SETTING  
ASSESSMENT CONFERENCE

Date: March 6, 2007

Time: 4:00 p.m.

Pacific (San Francisco) Time

This case is under consideration for inclusion in the Mediation Program. See Fed. R. App. P. 33 and Ninth Cir. R. 33-1.

A settlement assessment conference will be held by telephone on **March 6, 2007, at 4:00 p.m. PACIFIC (San Francisco) Time**. A Circuit Mediator will initiate the telephone call and contact each participant at the telephone number listed on the attached list. Check the information for completeness and accuracy. Questions or comments about the conference date or participants should be directed to the Mediation Assistant via **fax** at (415) 556-9725. **If the appeal settles or a motion to dismiss pursuant to Fed. R. App. P. 42(b) is filed prior to the conference, please inform the Mediation Assistant via fax immediately.**

Procedures governing the assessment conference and the Mediation Program are discussed in the attached memorandum. Counsel are expected to familiarize themselves with the information in the memorandum. All participants in the assessment conference shall comply with the confidentiality provisions set forth in Paragraph I.

**The briefing schedule previously set by the court remains in effect.**

FOR THE COURT



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Elisa Monterola  
Deputy Clerk